



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Bruce Gordon Ramsay

Group Art Unit: 1762

Serial No.: 10/621,700

Examiner: Eric B. Fuller

Filed: July 17, 2003

Attorney Docket: 99A429 (DIV)

Assignee: The BOC Group, Inc.

Title: VACUUM CHAMBER LOAD LOCK STRUCTURE AND ARTICLE TRANSPORT MECHANISM

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL DECLARATION OF PRIOR INVENTION IN THE UNITED STATES OR IN A NAFTA OR WTO MEMBER COUNTRY TO OVERCOME CITED PATENT OR PUBLICATION (37 C.F.R. § 1.131)

SIR:

CERTIFICATE OF MAILING

I hereby certify that this correspondence and every writing referred to herein as being enclosed is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 17, 2006.
(Date)

Betty Lee

Printed name of person signing this certificate

Betty Lee

Signature of person mailing

PURPOSE OF DECLARATION

1. This supplemental declaration is to establish diligence from the date of receipt of the Invention Record on a date prior to December 17, 1999, that is, the effective date of the prior art patent 6,429,129 B1 that was cited by the Examiner, up to the priority filing date (October 4, 2000) of this application.
2. The person making this declaration is an attorney of record in this application.

DILIGENCE

3. The following statements establish the diligence of the attorney from a time just prior to the date of the reference, up to the filing date of the priority application.
 - i. On a date prior to December 17, 1999, the effective date of the cited reference (6,429,129 B1), the Intellectual Property Department of The BOC Group, Inc. ("BOC") received an invention record directed to the subject matter of this application.
 - ii. From a date prior to the effective date until the filing date of the priority application, BOC was the target of a failed acquisition by two of its competitors (L'Air Liquide and Air Products) during which time three patent attorneys resigned from BOC and only one other attorney was left in the Intellectual Property Department thereby tremendously increasing my workload and the workload of the remaining attorney.
 - iii. From a date prior to the effective date until the filing date of the priority application, I was responsible for the preparation and filing of the present application, at least ten

other patent applications as well as numerous other responsibilities of the Intellectual Property Department.

iv. From the date of receipt of the invention record until June 30, 2000, I performed all of my professional responsibilities regarding and arranging for the preparation and filing of the present application, the ten other patent applications, the prosecution of pending applications, as well as prioritizing all other urgent matters having immediate and imminent deadlines.

TIME OF PRESENTATION OF THE DECLARATION

This declaration is submitted in response to a final rejection.

DECLARATION

As a person signing below, I hereby declare that all statements made herein of my own knowledge, are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

4. Attorney of Record for the Assignee

Philip H. Von Neida

Name of person signing


Signature

AUGUST 17, 2006

Date

The BOC Group, Inc.

Name of assignee

575 Mountain Avenue

Murray Hill, NJ 07974

Address of assignee

Assignment recorded in PTO on February 8, 2001

Reel 011520 Frame 0847